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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

IN RE: JOANN MARIE MARTINEZ Debtor	CASE NO: 16-25162 Chapter 13 Hon. JOEL T. MARKER
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**ORDER DISMISSING CHAPTER 13 CASE FOLLOWING
CONFIRMATION HEARING**

The Debtor filed a Chapter 13 Petition on June 14, 2016. A Notice of a Contested Confirmation Hearing was provided to all parties in interest. At the confirmation hearing held November 22, 2016 10:00 am, the Chapter 13 Trustee, appeared personally or by counsel, and other parties, if any, made their appearances on the record. Having heard the representations of the parties and recommendations of the Trustee, and having determined that all requirements for confirmation have not been met, the Court hereby ORDERS:

1. The Debtor case is hereby dismissed without prejudice.
2. Of the funds being held in this case, the Trustee shall pay, to the extent funds are available, the following claims in the following priority: (1) the allowed fee to the Trustee under 28 U.S.C. § 586(e); (2) adequate protection payments provided for in the proposed plan, stipulated to by the parties, or ordered by the Court; (3) allowed administrative expenses, including attorney's fees and costs in the total amount of \$0.00, less

any retainer on the Bankruptcy Rule 2016 statement; and (4) with the balance of such funds to be returned to the Debtor pursuant to 11 U.S.C. § 1326(a)(2) by a check made payable to the Debtor and mailed to the debtors' most recent address on file with the Bankruptcy Court.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on 11/23/2016, a true and correct copy of the foregoing Order was properly addressed, posted in the U.S. Mail, first-class, postage prepaid to the following parties at the addresses listed below:

PAUL TOSCANO, P.C., ECF Notification

/S/ Employee of Office of Chapter 13 Trustee

COURT SERVICE LIST

CHAPTER 13 TRUSTEE - ECF NOTIFICATION

JOANN MARIE MARTINEZ, P.O. BOX 1994 , SANDY, UT 840911990

PAUL TOSCANO, P.C., ECF Notification